



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 5218-99

17 November 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 16 November 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 31 August 1972 at age 18. The record shows that you received nonjudicial punishment on two occasions. Your offenses were two periods of unauthorized absence totaling about 19 days, disrespect and use of marijuana.

Based on the foregoing record of misconduct, you were processed for an administrative discharge by reason of unfitness. In connection with this processing, you elected to waive the right to have your case heard by an administrative discharge board. On 13 November 1973 the discharge authority approved the recommendation of your commanding officer for separation, and directed a general discharge. The general discharge was issued on 7 December 1973.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth, limited education, and your contention that your problems in the Navy were caused by drug abuse. The Board found that these factors and contentions were not sufficient to warrant recharacterization

of your discharge given your record of misconduct. The Board believed that you were fortunate to have been issued a general discharge, since an undesirable discharge was authorized and recommended by the commanding officer. The Board concluded that the general discharge was proper as issued and no change is warranted.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director